

Attachment to
DOCKETING STATEMENT
Vecinos para el Bienestar de la Comunidad Costera v. FERC, No. 23-1222
September 14, 2023

Section 6.e

The order under review amends the initial authorizations for and reauthorizes the Rio Grande LNG and Rio Bravo Pipeline projects.

Petitioner Vecinos para el Bienestar de la Comunidad Costera has associational standing on behalf of its members. The challenged amendment and reauthorization allow the projects to go forward because FERC has determined that the projects, as amended, are in the public interest notwithstanding this Court's decision in *Vecinos para el Bienestar de la Comunidad v. FERC*, 6 F.4th 1321 (D.C. Cir. 2021). Thus, the challenged order will allow the projects to be constructed and placed into service, leading to numerous environmental impacts. For example, construction and operation of the projects will emit substantial amounts of air pollution, harming the health and welfare of Petitioner's members, causing Petitioner's members to refrain from or curtail activities that they would otherwise enjoy, and diminishing Petitioner's members enjoyment of everyday and recreational activities. Additionally, construction and operation of the projects will have visual, noise, and aesthetic impacts that would diminish Petitioner's members enjoyment of recreational activities in the project area and would cause those members to refrain from or curtail those activities. Further, construction and

operation of the projects would destroy and fill wetlands that are crucial habitat for wildlife that petitioner's members enjoy viewing. And, finally, construction and operation of the project will have adverse impacts on the project area's fishing and hospitality industries, which Petitioner's members rely for their livelihoods.

Because Petitioner asserts procedural injuries, the Court will presume that an order requiring FERC to cure the deficiencies in its NEPA and Natural Gas Act analyses would lead FERC to choose a different action, including either rejecting the projects altogether or adopting an alternative that would lessen the impacts on Petitioner and its members.